

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

UNITED STATES OF AMERICA

v.

OTTO G. PENA

Case No.: 7:12-CR-00039-HL-TQL-1

ORDER ON JOIN MOTION TO CONTINUE TRIAL

Defendant, Otto G. Pena, has moved the Court to continue his case, presently scheduled for the trial term set for March 4, 2013. The Government joins this motion. Counsel states additional time is needed as discovery is ongoing, defense counsel needs additional time to conduct further investigation and consult with an expert. The Court finds that it is in the interests of justice to allow the parties a continuance to complete discovery, file pretrial motions, and possible plea negotiations and that these interests outweigh the interest of Defendant and the public in a speedy trial. Failure to grant a continuance would deny counsel reasonable time for effective preparation and could result in a miscarriage of justice. Accordingly, Defendant's Joint Motion to Continue Trial [Doc. 21] is **GRANTED**, and it is hereby ordered that this case shall be continued until the Court's next trial calendar. The delay occasioned by this continuance shall be deemed excludable pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161.

It is SO ORDERED, this 5th day of February 2013.

s/Hugh Lawson
HUGH LAWSON
SENIOR UNITED STATES DISTRICT COURT